

IN THE U.S. DISTRICT COURT
FOR THE WESTERN DISTRICT OF MISSOURI
WESTERN DIVISION

UNITED STATES of AMERICA
Plaintiff,

v.

TREVOR SCOTT SPARKS
Defendant.

18-00293-2

OBJECTION TO CONTINUANCE

Defendant Trevor Sparks, by and through appointed counsel Joseph W. Vanover, objects to a continuance of the trial scheduled for March 2021. Mr. Sparks offers the following:

SUGGESTIONS IN SUPPORT

1. Mr. Sparks and others were indicted on December 12, 2018 by a superseding Indictment (Doc. 18) which alleged Mr. Sparks engaged in a continuing criminal enterprise (count three), conspired to launder money (count two), possessed firearms in furtherance of crimes of violence and drug trafficking crimes (count four), and possessed firearms following conviction for a felony (count five). Mr. Sparks is presently charged with the same offenses by the third superseding Indictment (Doc. 261) filed July 21, 2020. Mr. Sparks has been held in custody since his arrest on December 18, 2018. The case is currently on the trial docket starting March 22, 2021.

2. Mr. Sparks filed a motion for a speedy trial on July 15, 2020 (Doc. 258). Mr. Sparks has a constitutional right to a speedy trial. *U.S. Constitution, Sixth Amendment* ("In all criminal prosecutions, the accused shall enjoy the right to a speedy ... trial.") The U.S. Supreme Court established a "balancing test, in which the conduct of both the prosecution and the defendant are weighed." *Barker v. Wingo*, 407 U.S. 514, 529 (1972). "[S]ome of the factors"

that courts should weigh include “[l]ength of delay, the reason for the delay, the defendant's assertion of his right, and prejudice to the defendant.” *Vermont v. Brillon*, 556 U.S. 81, 89–90 (2009). The motion was denied. Doc. 316.

3. Previously Mr. Sparks filed a Motion to Sever (Doc. 169) on July 29, 2019. Defendant Mainieri filed a Motion to Continue a prior trial setting on October 1, 2019. (Doc. 204). Mr. Sparks objected to the motion. *Id.* at Paragraph 7. The continuance was granted over Mr. Sparks' objection (Doc. 208) and the case was set for trial starting August 10, 2020.

4. Defendant Thurmond filed a Motion to Continue on July 17, 2020 (Doc. 260) and Mr. Sparks objected. The August 2020 trial was continued over Mr. Sparks' objection to March 2021.

WHEREFORE, the Defendant Trevor Sparks, (1) renews his demand for a speedy trial, and (2) objects to a further continuance of his trial.

Vanover Law LLC

/s/ Joseph W. Vanover

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CERTIFICATE OF SERVICE

I, the undersigned, hereby certify that the above and foregoing was transmitted to opposing counsel of record via the CM-ECF system on the date electronically stamped on the lower edge of this document.

by: /s/ Joseph W. Vanover

Joseph W. Vanover #48074
Attorney for Trevor Sparks